

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

06/23/08 11:45

UNITED STATES OF AMERICA,

Plaintiff,

v.

Theresa Ann SALINAS,

Defendant.

'08 MJ 1924

Magistrate Case No.

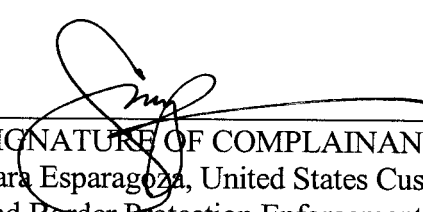
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation

The undersigned complainant being duly sworn states:

On or about **June 19, 2008**, within the Southern District of California, defendant **Theresa Ann SALINAS**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Alvaro PEREZ-Amaya**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **23rd** DAY OF
June, 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Customs and Border Protection (CBP) Enforcement Officer Heather Ramos, declare under penalty of perjury the following to be true and correct:

The complainant states that **Alvaro PEREZ-Amaya**, is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material; that it is impracticable to secure his attendance at trial by subpoena; and that he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On June 19, 2008, at approximately 2140 hours, **Theresa Ann SALINAS (Defendant)** applied for admission into the United States at the San Ysidro, California Port of Entry as the sole visible occupant of a 1993, silver in color, Plymouth Grand Voyager. During initial inspection a Customs and Border Protection (CBP) Officer noticed the Defendant was not in possession of a United States Passport or California identification and noticed that the vehicle was clean. The CBP Officer elected to escort the vehicle to secondary for further inspection.

In secondary, CBP Officers discovered one adult male concealed in a driver side non-factory quarter panel compartment of the vehicle. The quarter panel was affixed to the driver's side wall of the vehicle and the concealed adult male was unable to extract himself from the vehicle. Several CBP officers removed the bench seats and broke open the compartment in order to remove the concealed adult male. The adult male was later determined to be a citizen of Mexico without entitlements to enter the United States. The adult male is now identified as: **Alvaro PEREZ-Amaya (Material Witness)**.

During a videotape proceeding, Defendant was advised of her Miranda rights and elected to submit to questioning without benefit to counsel. Defendant admitted to being the driver of the vehicle and admitted to having knowledge of the concealed individual. Defendant stated she lives in Mexico and was approached by a friend who offered her a smuggling job. Defendant stated she agreed to smuggle one person into the United States in exchange for \$1,000.00 USD. Defendant stated that she was to deliver the vehicle to a location in National City, California where someone would meet her and remove the concealed person. The Defendant was to then drive the vehicle back to Mexico in order to receive her payment.

On a videotaped interview, Material Witness admitted he is a citizen of Mexico without legal rights to enter the United States. Material Witness stated he paid approximately \$300.00 USD to be smuggled into the United States. Material Witness stated he was en route to San Diego, California to seek employment.

EXECUTED ON THIS 21st DAY OF June 2008 AT 1000 HOURS.


Heather Ramos / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of 1 page, I find probable cause to believe that the defendant named therein committed the offense on **June 19, 2008** in violation of Title 18, United States Code, Section 1324.


MAGISTRATE JUDGE

6/21/08 9:30 P.M.
DATE / TIME